

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BRIAN D. NEEFE, individually and as next of)	
friend to Lacey Knudson,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 04-366-KAJ
)	
RODNEY M. LAYFIELD and)	
DELAWARE STATE POLICE,)	
)	
Defendants.)	

**DEFENDANTS' MOTION TO EXTEND TIME
TO FILE JOINT PROPOSED PRETRIAL ORDER**

Pursuant to Local Rule 16.5, the Delaware Department of Justice, on behalf of defendants Sergeant Rodney M. Layfield and the Delaware State Police, moves for a two-week extension of time to file a joint proposed pretrial order. In support of this opposition, the Department of Justice states as follows:

1. On May 18, 2005, this Court entered a Rule 16 Scheduling Order providing that the "parties shall file with the Court the joint proposed pretrial order with the information required by the form of Final Pretrial Order which accompanies this Scheduling Order on or before October 17, 2005."

2. Defendants' counsel will be on medical leave starting October 14, 2005 and will not return to work until October 24, 2005. Defendants' counsel requests a three-week extension of time (until November 7, 2005) to allow counsel sufficient time to negotiate a joint proposed pretrial order. The pretrial conference is not scheduled until 9:30 a.m. on November 16, 2005.

3. Pursuant to Local Rule 7.1.1., defendants' counsel has consulted with plaintiff's counsel who stated that he did not have any objection to this extension of time.

WHEREFORE, defendants ask this Court to grant this motion to extend the time to file a joint proposed pretrial order until November 7, 2005.

Respectfully submitted,

/s/ W. Michael Tupman
W. Michael Tupman
Deputy Attorney General
Delaware Department of Justice
102 West Water Street, 3rd Floor
Dover, DE 19901
(302) 739-7641

Attorney for Defendants

Date: October 12, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2005, I served by electronic filing a copy of the Defendants' Motion To Extend Time To File Joint Proposed Pretrial Order; and that on October 12, 2005, I caused to be served by first-class U.S. mail, postage prepaid, two copies of that Motion to:

Edward C. Gill, Esquire
16 N. Bedford Street
P.O. Box 824
Georgetown, DE 19947
Counsel of Record for Plaintiff

/s/ W. Michael Tupman
W. Michael Tupman